



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

September 11, 2019 7:00 PM

**CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Commissioner Tao)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for September 11, 2019

VI. ANNOUNCEMENTS

VI-1 Planning Commissioners

VI-2 Planning Director

VII. PUBLIC FORUM

Members of the audience may address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and state their name and address for the record. Please limit remarks to no more than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

VIII. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of August 28.

IX. PUBLIC HEARING

IX-1 AC HOTEL – 521 ALDER DR. – SD19-0005, UP19-0005, VA19-0004, TP19-0001: Site Development Permit and Conditional Use Permit to allow: 1) development of a 155-room business hotel in the MP Industrial Park Zoning District with a Recreation and Entertainment Overlay; 2) a building height up to 85 feet (seven stories); 3) a floor-area ratio of up to 2.85; 4) the on-sale of alcoholic beverages in conjunction with a restaurant, and; 5) a shared parking arrangement with the adjacent hotel. The project also requires approval of a Variance to allow a five-foot reduction in the rear-yard setback and a Minor Tentative Map to subdivide the existing 3.34-acre parcel into two parcels. This Project is consistent with the "Element and Aloft Hotels Project Initial Study/Mitigated Negative Declaration" considered by the Planning Commission on April 25, 2018. As a separate and independent basis, this project is exempt from further environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15183 (Projects consistent with a Community Plan or Zoning). Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Adopt Resolution 19-025 and approve: 1) Site Development Permit No. SD19-0005 and Conditional Use Permit No. UP19-0005 to allow development of a 155-room business hotel, up to 85 feet (seven stories) in height, with a floor-area ratio of 2.85,

a shared parking arrangement with the adjacent hotel, and the on-sale of alcoholic beverages in conjunction with a restaurant; 2) Variance Permit No. VA19-0004 to allow a five-foot reduction in the rear setback, and; 3) Minor Tentative Map TP19-0001 to subdivide into two lots the existing 3.34-acre parcel located at the northwest corner of the intersection of Alder Drive and Barber Lane (521 Alder Drive), subject to findings and Condition of Approvals.

IX-2 LARGE FAMILY DAYCARE – 701 PENITENCIA STREET – P-LF19-0001:

Conditional Use Permit to allow a large family daycare home to operate within 300 feet of another existing large family daycare home. This project is exempt from further environmental review under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15274 (Family Day Care Homes) and Section 15332 (In-Fill Development Projects). Project Planner: Krishna Kumar, (408) 586-3276, kkumar@ci.milpitas.ca.gov

Recommendation: Adopt Resolution No. 19-027 and approve Conditional Use Permit No. P-LF19-0001 to allow a large family daycare home to operate at 702 Penitencia Street, which is within 300 feet of another existing large family daycare home, subject to the attached Conditions of Approval.

X. NEW BUSINESS

NO ITEMS

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the
City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the
agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall,
455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of
the ordinance, contact the City Attorney's office at Milpitas City Hall
455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is
available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.*

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually
impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this
meeting should notify the Planning Division prior to the meeting at 408-586-3279.
